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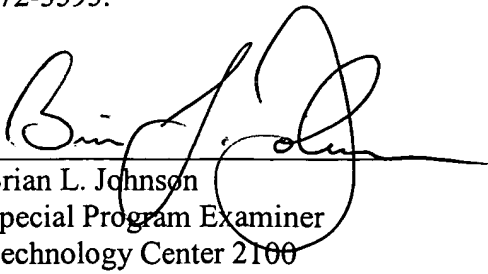
In re Application of: Wagner, et al.)
Application No. 09/934,817) *SUA SPONTE*
Attorney Docket No. (Z) 98003 P US) WITHDRAWAL OF HOLDING OF
Filed: March 21, 2001) ABANDONMENT
For: OPTICAL ARRANGEMENT AND)
PROJECTION EXPOSURE SYSTEM FOR)
MICROLITHOGRAPHY WITH PASSIVE)
THERMAL COMPENSATION)

A review of the application reveals that a Notice of Abandonment was mailed to the applicant on May 23, 2006. The notice incorrectly indicated that the instant application was being held abandoned for failure to respond to the Non-Final Office communication (mailed on November 14, 2005). A timely filed amendment with a three-month extension of time (37 CFR § 1.136(a)) was filed on May 15, 2006 bearing a certificate of facsimile transmission of May 15, 2006 (May 14, 2006 being a Sunday). Accordingly, the amendment/response was timely filed. The amendment, response and extension of time are currently located in the application file. The Office regrets any inconvenience this may have caused.

In view of these facts, the abandonment of the application was clearly in error and is hereby **VACATED**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to **WITHDRAW** the holding of abandonment, restore the instant application to pending status and to process the amendment filed May 15, 2006. The application will then be forwarded to the Examiner of record for prompt action on the merits.

Inquiries to this decision may be directed to Special Programs Examiner Brian Johnson at (571) 272-3595.



Brian L. Johnson
Special Program Examiner
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Computer Architecture, Software, and Information Security